

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

LES JANKEY, et al.,

No. C-09-0922 MMC

Plaintiffs,

**ORDER DIRECTING PLAINTIFFS TO
SHOW CAUSE WHY ACTION SHOULD
NOT BE DISMISSED FOR FAILURE TO
PROSECUTE**

v.

DIRTY TRIX SALOON, et al.,


Defendants

By order filed May 12, 2009, the parties and counsel were directed to conduct a joint inspection of the premises at issue herein and to do so no later than August 11, 2009. (See Order, filed May 12, 2009, at 3.) Further, plaintiffs were ordered to file, no later than 45 days after the joint site inspection, a Notice of Need for Mediation. (See Scheduling Order for Cases Asserting Denial Of Right to Access Under Americans With Disabilities Act Title III, filed March 3, 2009.) To date, plaintiffs have not filed a Notice of Need for Mediation.

Accordingly, plaintiffs are hereby ORDERED TO SHOW CAUSE, in writing and no later than October 16, 2009, why the above-titled action should not be dismissed for failure to prosecute. In the event plaintiffs file a Notice of Need for Mediation on or before October 16, 2009, this Order to Show Cause will stand discharged without further order of the Court.

IT IS SO ORDERED.

Dated: September 29, 2009


MAXINE M. CHESNEY
United States District Judge